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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,712	04/26/2000	Pratish R. Desai	19223-000510	1620

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EXAMINER

WONG, ALLEN C

ART UNIT PAPER NUMBER

2613

DATE MAILED: 07/09/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/559,712

Applicant(s)

DESAI, PRATISH R. 

Examiner

Allen Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-2, 4-6, 8-9, 11, 18-24, 26 and 29 are objected to because of the following informalities: on claim 29, line 4, there is no antecedent basis for "said DVD program", so replace "said" with "a". Appropriate correction is required. Claims 1-2, 4-6, 8-9, 11, 18-24 and 26 need to include the terms "the steps of" in front of "comprising" because these claims are method claims. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Setogawa (6,469,718).

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Regarding claim 29, Setogawa discloses an apparatus to allow a viewer to select a point in time occurring during playback of a moving picture from which to initiate displaying of said moving picture, said apparatus comprising:

an input to receive an MPEG datastream from said DVD program (fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103);

a decoding circuit configured to decode said MPEG datastream (Setogawa's fig.13 is a DVD player configuration, where the MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114; and col.1, ln.20-23);

an audio circuit configured to output said segment of said moving picture from said decoded MPEG datastream (fig.13, element 116 decodes audio signal data and outputs the audio output signal 117);

a video circuit configured to output said segment of said moving picture from said decoded MPEG datastream (fig.13, element 115 decodes video signal data and outputs the video output signal to element 120);

a selector operable to select a plurality of points in time occurring during playback of said moving picture so as to allow a plurality of segments of said motion picture to be output by said audio and video circuits (fig.12, Setogawa discloses a remote control 92 for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to

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display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user).

Note claims 1, 10, 11 and 22 have similar corresponding elements.

Regarding claims 2-5, 8-9, 12-16, 18-21 and 23-28, Setogawa discloses the display of the plurality of presentations for the user to choose for viewing into a presentable graphical format on display (fig.13 the user can input the desired selection of the chapter or presentation at a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user; and see col.6, ln.32+).

Regarding claim 6, Setogawa discloses the decoding of MPEG datastream (Setogawa's fig.13 is a DVD player configuration, where the MPEG video decoder 115, MPEG audio decoder 116 and subpicture decoder 114; and col.1, ln.20-23).

Regarding claim 7, Setogawa discloses the display of interleaved angles for the video program (col.6, ln.10-24).

Regarding claim 17, Setogawa discloses the video objects are interleaved as blocks (fig.8-10).

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Allen Wong  
Examiner  
Art Unit 2613

AW  
June 19, 2003



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